

# Notice of Allowability

Application No.

09/558,334

Examiner

Adrienne C. Johnstone

Applicant(s)

MATSUMOTO ET AL.

Art Unit

1733

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interview on 23 February 2004.
2. ☒ The allowed claim(s) is/are 1, 4-9, 14, 16, and 17 (new claims 1-10).
3. ☒ The drawings filed on 26 April 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 022604
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Adrienne C. Johnstone  
Primary Examiner  
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*Examiner's Amendment*

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Raja Saliba on February 23, 2004.

The application has been amended as follows:

In the specification

p. 9 line 12, to provide antecedent basis in the specification for the subject matter added to claim 1, before "in Fig. 1" has been inserted -- at a radial height substantially greater than that of the rim flange -- (supported by original Figure 1).

In the claims

claim 1 has been rewritten to distinguish over the prior art and to obviate the need for defining the boundary between the sidewall portions and the adjacent tread and bead portions as --

1. (Currently Amended) A pair of mounted pneumatic tires on a vehicle, each tire comprising a tread portion, a pair of sidewall portions extending inward from both side parts of the tread portion in a radial direction, a bead portion continuously connected to an inner end of [the] each sidewall portion in the radial direction, a carcass reinforcing these portions, and a reinforcing member comprised of at least one rubberized cord reinforcing layer arranged in a tire zone including at least each of the sidewall portions and extending from each bead portion to a radial height substantially greater than the radial height of the flange of the rim on which the tire is mounted;

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wherein a shearing rigidity of the reinforcing member in the circumferential direction, which serves to apply a braking force to the tire, arranged in the same tire at a posture of the mounted tire onto the vehicle is made larger at a first tire zone located at an outside of the vehicle than at a second tire zone located at an inside of the vehicle among the above tire zones; and

wherein the pair of mounted tires are left- and right-wheeled tires symmetrically located at both sides of the vehicle with respect to a center line of the vehicle in a widthwise direction and the pair of mounted tires are constructed so that the reinforcing members arranged in the first and second tire zones are symmetrical with respect to the center line in both tires.

-- (added subject matter supported by original Figure 1);

claim 2 has been cancelled (now redundant);

claims 3, 11, 13, and 15 have been cancelled (do not distinguish over the prior art);

claim 8 lines 1, "11" has been changed to -- 1 -- to make the claim dependent on allowable claim 1;

claim 8 line 2, "the pair comprises a right-wheeled tire and a left-wheeled tire," has been deleted to eliminate redundancy;

claim 8 line 3, "comprising" has been changed to -- comprises -- to provide proper grammar;

claim 12 has been cancelled (now redundant);

claim 14 has been rewritten to provide proper spelling and to eliminate redundancy as --

14. (Currently Amended) The pair of mounted pneumatic tires according to claim 1, wherein each mounted tire includes a bead [cord,] core and a bead filler radially outward of the bead [cord, and a tread] core, and the reinforcing member arranged in the first tire zone extends radially outwardly beyond the bead filler.

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-- ;

claims 16 and 17 have been cancelled (no support in the original disclosure: applicants' arguments in the remarks filed April 21, 2003 are directed to why the subject matter would be *obvious* to one of ordinary skill in the art, but the test for sufficiency of written description is whether or not the subject matter was actually *disclosed*).

#### *Reasons for Allowance*

2. The following is an examiner's statement of reasons for allowance: The embodiment of Figure 5 in British Patent Specification 1115834 is silent as to the rim flange height in relation to the height of the flipper "of ordinary dimensions"; although bead flippers conventionally extend somewhat past the exterior arc where the rim flange would contact the tire, as evidenced by The Story of Tire Beads and Tires for example, the prior art of record does not disclose or suggest motivation to extend the GB '834 Figure 5 flipper "of ordinary dimensions" to a radial height *substantially* greater than the rim flange height.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### *Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adrienne C. Johnstone whose telephone number is (571)272-1218. The examiner can normally be reached on Monday-Friday, 10:30AM-7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571)272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

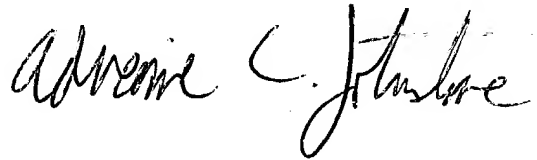
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Adrienne C. Johnstone  
Primary Examiner  
Art Unit 1733

Adrienne Johnstone

February 26, 2004

A handwritten signature in cursive script, reading "Adrienne C. Johnstone". The signature is written in dark ink and is positioned to the right of the printed name and title.

*Examiner's Amendment*

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Adrienne C. Johnstone  
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February 13, 2004